

**Statement of
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Bureau of Land Management
U.S. Department of the Interior
Subcommittee on Public Lands and Environmental Regulation
Committee on Natural Resources
U.S. House of Representatives
H.R. 1168, Authorizing the Sale of Certain Federal Lands to the City of Carlin, Nevada
July 19, 2013**

Thank you for inviting the Department of the Interior to testify on H.R. 1168, which would authorize the sale of approximately 1,400 acres of Federal land to the City of Carlin, Nevada, at fair market value. The Bureau of Land Management (BLM) could support H.R. 1168 if modified to address the concerns described below

Background

Carlin, Nevada is a small community located west of the City of Elko in Elko County. The Carlin Trend, one of the most productive gold mining areas in the country, is located to the northwest. The BLM manages approximately 1,500 acres of public land within the Carlin city limits.

Most residential, civic, and commercial activity in the city is concentrated within about 360 acres just south of the Interstate 80 (I-80) corridor and in relatively close proximity to the lands identified for sale in the bill. Other industrial and commercial uses, most of which support regional mining operations, exist to the east and north of the city's core along State Routes (SR) 221 and 766. The Nevada Department of Transportation recently constructed an interchange on I-80 to connect with SR 278 to Eureka, Nevada.

It is the understanding of the BLM that the City of Carlin is interested in the economic development potential of the lands identified for sale in the bill. The BLM believes the sale of these lands would improve manageability. They are within and immediately adjacent to the growing City of Carlin and they are identified as available for potential disposal in the BLM's current Resource Management Plan for the area. These lands also contain intact, native, mature sagebrush and grassland communities or are lands that have been successfully rehabilitated from previous fire events. Multiple fires in areas around Carlin over the past 15 years have increased the importance of retaining mature sagebrush communities. Although there are no known leaks on the lands identified for sale in this bill, approximately 141 acres have been identified as Preliminary Priority Habitat for Greater Sage-Grouse. In addition, about 960 acres make up part of the remaining segments of winter range for pronghorn antelope and mule deer.

H.R. 1168

H.R. 1168 would authorize the sale, at fair market value, of approximately 1,400 acres of Federal land to the City of Carlin. The sale would convey all right, title and interest of the United States to the identified lands, subject to valid existing rights. The Federal government owns both the

surface and mineral estate for approximately half of the lands. Because there is known high mineral potential in the area, the value of the mineral estate may be significant.

Subsection 1(f) of the bill specifies that the sale of the lands would not be considered a major Federal action under the National Environmental Policy Act (NEPA). The BLM opposes this provision waiving NEPA, which, among other impacts, would limit public engagement and preclude opportunities for mitigation, such as considering the Greater Sage-Grouse habitat issues that clearly need to be addressed.

H.R. 1168 would require the BLM to sell the identified lands to the City of Carlin within 180 days once the city offers to purchase them. During this time, the BLM would need to complete a variety of actions before the agency could sell the lands, including appraisal, survey, and other clearances, which could not likely be completed within that time frame. Therefore, the BLM recommends more flexibility to complete the actions required by the Federal Land Policy and Management Act and other applicable laws.

The bill, as written, would indefinitely extend the opportunity for acquisition of the lands by the City of Carlin. The BLM recommends allowing the city 3 to 5 years to decide whether to acquire the lands and which lands to acquire. After that time, the lands should return to their current status. The sponsor may wish to consider inclusion of language that would withdraw the lands from the public land laws, the mining laws, and the mineral and geothermal leasing laws for the period in which the lands are being considered for acquisition by the city.

Finally, the BLM would like to work with the sponsor and the subcommittee on other more technical modifications. For example, H.R. 1168 currently references a legislative map titled "Proposed Carlin, Nevada Land Sales" and dated January 4, 2013. It is the understanding of the BLM that the sponsor intends to change the reference to a map dated June 6, 2013. The more recent map informs the position of the BLM on the legislation.

Conclusion

Thank you again for the opportunity to testify on H.R. 1168. The bill is important to the people of Carlin, and the BLM looks forward to working with the sponsor and the Subcommittee on modifications so the agency can fully support the bill.